



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Thomas T. Chen) Examiner: Eileen B. O'Hara
Serial No.: 10/647,732)
Filing Date: August 25, 2003) Confirmation #: 2152
For: ANTI-TUMOR ACTIVITY OF Ea-4 PEPTIDE OF) Art Unit: 1646
PRO-IGF-I) Docket No.: 97511.00005
)
)

Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

University of Connecticut, having an address at 263 Farmington Avenue, Farmington, Connecticut 06030-6207, is owner of 100 percent interest in the instant application. Title is derived from the Assignment by the inventors to the University of Connecticut.

University of Connecticut (hereinafter "the owner") hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156, and §173, of U.S. Patent Nos. 6,610,302 and 7,118,752; and U.S. Patent Application Serial No. 11/354,484. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

The above disclaimer is submitted without prejudice and is not to be construed in any way as an admission of or acquiescence in Examiner's grounds for making the rejection; but rather to prompt allowance and expedite issuance of the present application. In making the disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant

10647732
00000015 503569
01/30/2007 ZJHAR1
02 FC:2814
65.00 DA

application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of either prior patent, as presently shortened by any terminal disclaimer, in the event that either such patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned attorney is an attorney of record. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Authorization is given under 37 CFR § 1.20(d) to charge \$65.00 for a Terminal Disclaimer for a Small Entity to Deposit Account No. 50-3569. No additional fee is believed to be required. However, if any additional fee has been overlooked, authorization is hereby given to the Commissioner to charge such fees or credit overpayment to Deposit Account No. 50-3569.

Date: 1/26/2007

Respectfully submitted,
By: Bryan Zerhusen
Bryan Zerhusen, Ph.D.
Reg. No. 54,566
McCarter & English
City Place I
185 Asylum Street
Hartford, CT 06103-3495
Tele: (860) 275-6735
Fax: (860) 724-3397